

RELIEF ASSISTANCE

Exchange of notes at The Hague January 17, 1949

Entered into force January 17, 1949

63 Stat. 2322; Treaties and Other
International Acts Series 1881

The American Embassy to the Ministry for Foreign Affairs

No. 693

The Embassy of the United States of America presents its compliments to the Royal Netherlands Ministry of Foreign Affairs, and, under reference to Article VI Paragraph 2 and Article IV Paragraph 5 of the Economic Cooperation Agreement between the United States of America and the Netherlands,¹ has the honor to propose an agreement between the two Governments in the following terms:

I. The Government of the Netherlands shall accord duty-free treatment on entry into the Netherlands of:

(a) Supplies of relief goods or standard packs donated to or purchased by United States voluntary non-profit relief agencies qualified under the Economic Cooperation Administration (hereafter referred to as ECA) regulations and consigned to charitable organizations including Netherlands branches of these agencies which have been or hereafter shall be approved by the Government of the Netherlands.

(b) Relief packages originating in the United States sent by parcel post or commercial channels, addressed to an individual residing in the Netherlands, whether packed privately or by order placed with a commercial firm.

(c) Standard packs put up by United States voluntary non-profit relief agencies or their approved agents, qualified under ECA regulations, to the order of individuals in the United States and sent for delivery to individuals residing in the Netherlands.

II. The Netherlands Government will retain all rights of inspection and customs formalities in connection with such packages and shipments, including the levy of duty on packages and shipments which do not comply with ECA regulations and to provisions of this Agreement.

¹ TIAS 1791, *ante*, p. 240.

III. For the purposes of this Agreement:

(a) "relief goods" shall not include tobacco, cigars, cigarettes or alcoholic liquors or goods other than food-stuffs, clothing, shoes, household supplies and utensils, bedding, medical and health supplies and articles which qualify under ECA regulations and are approved by the Government of the Netherlands;

(b) "relief packages" shall not include goods other than food-stuffs, secondhand clothing, secondhand shoes, medical and health supplies, and shall not exceed twenty kilograms gross weight. The combined retail value in the United States of all streptomycin, quinine sulfate and quinine hydrochloride included in each relief package must not exceed \$5;

(c) "standard packs" shall contain only such articles which qualify under ECA regulations and are approved by the Government of the Netherlands;

(d) weight, size and other limitations not specified herein shall comply with ECA regulations;

(e) "relief packages" and "standard packs" shall all be marked "U.S.A. gift parcels".

IV. Transportation charges (as defined in Paragraph 5 of Article IV of the Economic Cooperation Agreement) in the Netherlands on "relief goods", "relief packages", and "standard packs", which comply with the provisions of Paragraphs I and III above, shall be defrayed as follows:

(a) The amount of the terminal charges for shipments which are sent by United States parcel post to addressees in the Netherlands, shall be computed by the Netherlands postal service in the manner now or hereafter provided by the applicable Agreements. Such charges shall be reimbursed to the Netherlands postal service out of the Special Account provided for in Article IV of the Economic Cooperation Agreement (hereafter referred to as the Special Account) and no claim for such charges shall be made against the United States.

(b) With respect to shipments which are originally despatched from the United States by any regular established commercial channels and forwarded in the Netherlands by an approved agent of the shipper to the addressee by Netherlands carrier, or Netherlands parcel post service, the Netherlands shall reimburse such agent or Netherlands carrier, or Netherlands parcel post service, as the case may be, out of the Special Account upon presentation of adequate documentation.

(c) With respect to any charges incidental to transportation, including warehouse, storage and dock charges, which may be incurred by an agent of a shipper under sub-paragraph (b) of this Paragraph, other than parcel post charges and carrier charges, such approved agent shall be reimbursed by the Government of the Netherlands out of the Special Account upon presentation of adequate documentation.

V. The Government of the Netherlands shall make payments out of the Special Account for the purposes mentioned in Paragraph IV above, and shall submit to the ECA Mission in the Netherlands with a copy to the Controller, ECA Washington, monthly statements of the amounts so expended in forms satisfactory to the Government of the Netherlands and the said Mission, provided that each such statement shall at least show total weight carried and charges therefor and adjustments shall be made to the Special Account if shown to be required by ECA audit.

VI. So far as practicable, effect shall be given to Paragraphs IV and V as though they had come into force on April 3, 1948.

VII.

(a) The present Agreement shall come into force immediately. Subject to the provisions of sub-paragraph (b) of this Paragraph and to such modifications as may be agreed upon by the competent authorities of the Government of the United States and the Netherlands, it shall remain in force for the same period as the Economic Cooperation Agreement.

(b) The present Agreement may be terminated by six months' notice given in writing by either party to the other at any time.

If the above proposal is acceptable to the Government of the Netherlands, the Embassy of the United States of America has the honor further to propose that this Note and the reply by the Netherlands Ministry of Foreign Affairs to that effect shall constitute an Agreement on the above terms between the two Governments.

THE HAGUE

January 17, 1949

HERMAN B. BARUCH

The Ministry for Foreign Affairs to the American Embassy

The Ministry of Foreign Affairs presents its compliments to the Embassy of the United States of America and has the honour to acknowledge the receipt of the Embassy's Note of to-day's date, reading as follows:

[For text of U.S. note, see above.]

The Ministry of Foreign Affairs has the honour to inform the Embassy of the United States of America that the Netherlands Government agrees with the contents of the above Note.

THE HAGUE, 17th January, 1949

[SEAL]

To the EMBASSY OF THE
UNITED STATES OF AMERICA.